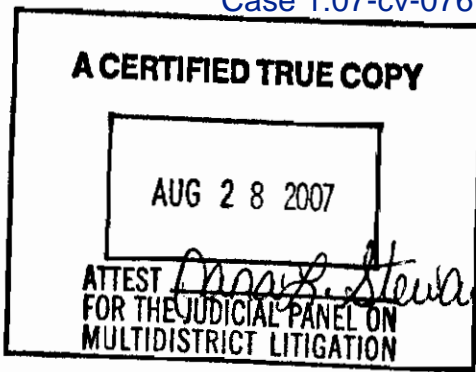


JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

AUG 28 2007

FILED
CLERK'S OFFICE

SEP 05 2007



UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

IN RE: FOSAMAX PRODUCTS
LIABILITY LITIGATION

Susan A. Unruh v. Merck & Co., Inc.,)
D. New Jersey, C.A. No. 3:07-3285)

MDL No. 1789

ORDER VACATING CONDITIONAL TRANSFER ORDER

A conditional transfer order ("CTO-31") was filed in this action (*Unruh*) on August 3, 2007. In the absence of any opposition, the conditional transfer order was finalized with respect to *Unruh* on August 21, 2007. The Panel has now been advised that *Unruh* was dismissed in the District of New Jersey by the Honorable Joel A. Pisano in an order filed on August 2, 2007, pursuant to plaintiff's voluntary motion for dismissal.

IT IS THEREFORE ORDERED that the Panel's conditional transfer order designated as "CTO-31" filed on August 3, 2007 is VACATED insofar as it relates to this action.

FOR THE PANEL:

Jeffrey N. Luthi
Clerk of the Panel